

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA**

MUSCOGEE (CREEK) NATION,)	
a federally recognized Indian Tribe,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 23-CV-490-JDR-SH
)	
CITY OF TULSA; MONROE NICHOLS IV,)	
in his official capacity as Mayor of City of Tulsa;)	
DENNIS LARSEN, in his official capacity as)	
Chief of Police, Tulsa Police Department; and)	
JACK BLAIR, in his official capacity as City)	
Attorney for City of Tulsa,)	
)	
Defendants.)	

FOURTH JOINT MOTION TO EXTEND STAY OF PROCEEDINGS

Plaintiff and Defendants jointly request that this Court enter an Order extending the stay in this case for an additional 7 days, which will allow the parties to ratify and file their proposed Settlement Agreement, Motion, and Consent Order to resolve the dispute in this matter. The parties anticipate that this will be their final request for an extension of the stay. In support of the motion, the parties represent that:

1. This case was filed in November 2023 by the Muscogee (Creek) Nation requesting injunctive and declaratory relief against the City's exercise of criminal jurisdiction over Indians within the Nation's Reservation in light of *McGirt v. Oklahoma*, 591 U.S. 894 (2020). Dkt. 002.
2. The Plaintiff has filed a Motion for Preliminary Injunction which is presently pending before this Court. Dkt. 009. The Defendants have filed a Motion to Dismiss which is also pending. Dkt. 028.
3. On or about December 16, 2024, the parties filed a Joint Motion to Stay the case so that the parties could conduct settlement discussions, Dkt. 117, and the Court entered an order

staying the case until January 17, 2025, Dkt. 118. On January 15, 2025, March 14, 2025, and May 15, 2025, the parties filed Joint Motions to Extend the Stay to allow additional time for ongoing negotiations, Dkts, 119, 122 and 142, which this Court granted, Dkts. 120, 123, and 143. The stay in this case is currently set to expire on June 18, 2025. Dkt. 143.

4. The parties have worked cooperatively and productively towards a resolution of this matter, including through the exchange of draft settlement proposals and a series of in-person meetings to discuss the parties' respective positions.

5. The parties have now concluded their negotiations and have reached agreement as to a proposed settlement agreement, which they intend to submit shortly to this Court for its review. The settlement agreement is pending formal approval by Mayor Nichols pursuant to his Charter responsibility to execute all "contracts ... or other instruments requiring the approval of the city...." Tulsa's Revised Charter, Art. XII Section 3. On June 12, the Nation's National Council's Business, Finance, and Justice Committee voted unanimously to pass the settlement agreement out of Committee and on to the full National Council, which will consider and vote on the agreement during its regular session on June 21, 2025.

6. A proposed Order has been submitted in compliance with local rules.

WHEREFORE, for the reasons set forth herein, the parties jointly request this Court enter an Order extending the stay of this action for an additional 7 days.

Respectfully Submitted,

For the Plaintiff:

/s/ Philip H. Tinker
Philip H. Tinker, OBA # 36498
Stephanie R. Rush, OBA # 34017
KANJI & KATZEN, PLLC
12 N. Cheyenne Ave, Suite 220

Tulsa, OK 74103
ptinker@kanjikatzen.com
vrush@kanjikatzen.com

and

Geraldine Wisner, OBA # 20128
ATTORNEY GENERAL
MUSCOGEE (CREEK) NATION
P.O. Box 580
Okmulgee, OK 74447
gwisner@mcnag.com

O. Joseph Williams, OBA # 19256
O. JOSEPH WILLIAMS LAW OFFICE, PLLC
The McCulloch Building
114 North Grand Avenue, Suite 520
P.O. Box 1131
Okmulgee, OK 74447
jwilliams@williamslaw-llc.com

Riyaz A. Kanji
David A. Giampetroni
KANJI & KATZEN, PLLC
P.O. Box 3971
Ann Arbor, MI 48106
rkanji@kanjikatzen.com
dgiampetroni@kanjikatzen.co

For the Defendants:

/s/ Jack Blair
Jack Blair, OBA #16988
CITY ATTORNEY
CITY OF TULSA
City Hall, One Technology Center
175 East Second Street, Suite 685
Tulsa, Oklahoma 74103
(918) 596-7717 Telephone
(918) 596-9700 Facsimile

CERTIFICATE OF MAILING

I certify that on June 17, 2025, this document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by placing a true and correct copy in the United States mail, postage prepaid, to their address of record.

/s/ Philip H. Tinker
Philip H. Tinker